

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

February 14, 2017

Present: Commissioner Mark Woolley, Commissioner T. Earl Jolley, Commissioner Sean D. Morrissey, Commissioner Julie Holbrook, Commissioner Brady Quinn, Commissioner John Ellis, City Planner Greg Schindler, Planner David Mann, Assistant City Engineer Shane Greenwood, Staff Attorney Steven Schaefermeyer, City Recorder Anna West

Others: See Attachment A

6:30 P.M.
REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Mark Woolley welcomed everyone and noted that all Commissioners are present except Commissioner Morrissey and he is on his way.

B. Motion to Approve Agenda

Commissioner Quinn made a motion to approve the February 14, 2017 Planning Commission Agenda. Commissioner Holbrook seconded the motion. Vote was unanimous in favor. Commissioner Morrissey not present for vote.

Commissioner Morrissey arrived at this time.

C. Approval of the Minutes from the Meeting held on January 24, 2017

Commissioner Holbrook motioned to approve the January 24, 2017 Planning Commission Meeting Minutes. Commissioner Ellis seconded the motion. Vote was unanimous in favor.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

City Planner Greg Schindler noted that two join meetings with City Council have been scheduled for Monday, April 17th and Monday, August 14th. Both meetings start at Noon and are held in the upstairs Oak Conference Room. He said if you have specific agenda items you would like to discuss please submit them to CM Whatcott for consideration.

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman Woolley opened for Citizen Comment. No speakers. He closed the Citizen Comment.

IV. SUMMARY ACTION

A.1 Issue: LOT LINE ADJUSTMENT BETWEEN LOT 308 & 309 AND LOT 315 & 316 OF MCKEE FARMS PHASE 3 SUBDIVISION
Address: 3013 West & 3031 West Reta Ridge Court and
2918 West & 2932 West Reta Ridge Court
File No: PLLC201700062
Applicant: Bill Clark

A.2 Potential Action Item – (See IV.A.1)

Commissioner Jolley motioned to approve Lot Line Adjustment between Lot 308 & 309 and Lot 315 and 316 of McKee Farms Phase 3 Subdivision. Commissioner Ellis seconded the motion. Vote was unanimous 5-0 in favor.

V. ACTION

B.1 Issue: 2016 SOUTH JORDAN PARKS, RECREATION, COMMUNITY ARTS, TRAILS AND OPEN SPACE MASTER PLAN
Applicant: City of South Jordan, Parks and Recreation

Associate Director of Parks & Recreation, Colby Hill, thanked everyone for the comments they provided. He introduced Mark Vlastic, President and owner of Landmark Designs; he said Mark will do a quick presentation (Attachment B) that we hope will have answered the questions and concerns that the Commission had. Our intent tonight is that you will move to recommend to Council to enact Resolution R2017-02 and adopt the plan.

Mark Vlastic, President and owner of Landmark Designs – he said we received your comments and questions. They were very detailed and showed a lot of interest in what we were doing and I appreciate that. That is the intent of the planning process like this, that in the end it will represent the needs of the community. I tried to focus on some themes that we saw in the comments and tried to capture them that way so that if we do not get everything then I can turn it over to you for further clarification.

1. First Theme was the executive summary. The plan gave an executive summary that gave a synopsis of what was contained in the plan. Many of the comments that were marked in blue were directly related to the executive summary. In my responses, I go back to the details and direct you to the correct chapter of where the details were provided. We feel that the executive summary was not a very good tool to have right up front.
2. Summary Comments – we put summary comments from our focus group meetings. The intent was that it was our record of the meetings and not necessarily that we agreed with what we had heard. It was to give the public and yourselves an understanding of what we heard from different people. This is part of our process of reaching out and trying to understand the needs of special interest groups are. We kept it in the plan but pushed it back so it is a record of our process.
3. Editing & Grammar – I appreciate your comments. By the time it gets to the end we will do a final go through.
4. Overall Conclusion – is was mentioned that you felt like the overall conclusion was that no new parks were needed for the future. That was not the intention. We are saying there is about 250 acres that are

needed between now and buildout. Those are going to be met through future parks that are already identified. There is no need for new additional land, but there is the need to either acquire or assure that those 248 acres that are currently earmarked are actually developed. Most of that is located in the phase 2 west part of Daybreak Community (80 acres there) and they also include 168 acres at Welby. Welby is a County park and typically, if a park is not owned by South Jordan, we do not consider it meeting the need. In this case, there has been a strong indication that this could go a long way to meeting that particular requirement if it is developed in collaboration with the City; and that is where it is currently headed.

5. Private Parks are not adequately addressed – we did a detailed study of Daybreak. We looked at the Level of Service as a whole, which we had already established in the plan; we then broke it into Daybreak and made an estimate of what Daybreak's population is today and took the rest of the remaining population and assumed that was the rest of the city. We developed a level of service analysis for this part of the city and the Daybreak area. We came up with the Daybreak Community has an off the chart level of service when it comes to certain types of parks. It is very, very high. They have very low level of service when it comes to typical amenities that you would find in a large public park such as sports fields. The design for Welby has 9 sports fields in it as part of the 168 acres. There are 80 acres of land in the Daybreak Community that are earmarked for a publicly owned and operated large park; broken into four 20-acre parks. There is a need for at least 20 additional sports fields if we are to maintain a level of service similar to what the city has today. Our projections are that Daybreak will have a major upswing in population that needs those sorts of amenities and we think that by providing 29 sports fields instead of 41 sports fields, that is probably coming close to meeting future needs at buildout.

Mr. Vlasik said the specific text that we put in about the private parks response is: the Parks Open Space and Trail System at Daybreak provides a high level of service for residents; it is diverse, engaging and well used. However, there is an acute lack of active sports fields and similar amenities in the area at present. As the area ages, the need for active sports facilities will increase and the 80 acres of public park land at Daybreak is earmarked for active park use. It is recommended that they be prioritized to meet these critical needs.

Mr. Vlasik said there was a lot of acreage that we didn't include in our level of service. There was a couple of County facilities and we don't typically count parks that are operated by other entities because that use is not controlled by the city and could change.

6. Special Use Parks – there were questions on how we calculated what a special use was. A lot of this was done in collaboration and debate with our advisory committee. We tried to define what is a contributing park. It is basically a "publicly owned, developed, park that is intended for active use." If it did not meet that criteria, we didn't include it. He said we took out the Jordan River Parkway land in the parks that are associated with it and we added it into our acreage for parks. We separated the non-developed active part of the Jordan River Parkway and left it as open space. What we are suggesting is that the level of service that exists for South Jordan today is adequate for South Jordan in the future.
7. Daybreak Community Parks - Mr. Vlasik said there was a statement when we presented the plan by a representative of Daybreak Communities that mentioned that their private parks are generally open for the public. We think that is great. We met with Daybreak Community and we are trying to get this plan to be equitable between the needs of the city itself and of the Daybreak Community. Similar like with the County groups, we just want to make sure that is something to move forward into the future. We would recommend that if that is true that they formalize it in a policy. That would be something the city could bank on in the future.

8. Oquirrh Lake Public Use – this came up as a big deal because it is heavily used. There were some questions that pointed out that it has become a very popular park for South Jordan residents and outside community. There was a question of why we didn't put the acreage into our level of service and it is because it is not currently publicly owned. We have not been told that we should include it and I know there has been discussion of it becoming formally transferred over to the City and I think that is a decision for the City to make. We would be happy to change the designation in the plan if that is something the city chooses to do.
9. Minimum Park Standards – they are not at all intended to be boring places. The intent is that many parks get underfunded and it is hard to determine what the proper funding is for a park. We try to insure that each park meets a minimum set of standards and then you can push things around. The key thing we say is that every park of a certain size should have restrooms. That is one thing that often is overlooked because they are so expensive. We set the standards so a realistic budget can be set. We had discussions with our advisory committee to say as a minimum standard it should have trees, paths, and plazas and other things. If there are specific things on the list that you feel are not minimums, then we can take them out. We can also set a minimum dollar per square foot. We are recommending getting all of your existing parks up to a basic level and then they can be built on from there.
10. Need for Large Ticket Facilities – your criticism was correct. A lot of this was based on our discussions with staff. The existing rec center and aquatic center are heavily overused. There is a huge need for additional services. With the population doubling, we do see that there is going to be a need. The reason we focused on expanding the existing aquatic center came from discussions ongoing about that. It is often better to expand the existing facility rather than looking at satellite facilities elsewhere. It is recommended that the city work with other entities for these facilities so that the city does not have to pay the full ticket on them.
11. Community Arts facilities and Programs – you do have a unique arts program here and there were some concerns that we were saying there is some demand here for something that doesn't actually exist. It is hard to distinguish or determine something like community arts and whether it is a need or a want. We felt like there are some unique opportunities here. We saw some unique characteristics along the river and with some of the historic properties and the unique landscape that has been preserved there so we don't see it as a developed area we see it as more of a walk through the neighborhood where there could be some facilities that could accommodate some smaller scale cultural events. It is just a preliminary thought. I can understand the thing with the integrity of the river and the environmental integrity would have to be very carefully looked at. If people feel strongly about this, we can easily just take this out and say that over time as things progress and if there is an emerging desire, it can be reassessed.
12. Lack of support for goals & policies – we felt like there are relatively good goals in there that we can adjust. We are hoping tonight that you have had a chance to take a different look at it and that you may be able to support some of them.
13. Support & funding for trails – there was some concern that we had short changed trails and funding recommendations lagged behind the recommendations for parks. We have about 9 million dollars of improvements, which would complete your regional and recreational trails system. That coincides with the east-west master plan and with the goals that have already been in place for the city. We recommend that you not get so hooked up with plowing down the road towards completing the regional and recreational items that you cannot be ready for an unexpected opportunity. It came out

very clearly that the trails are highly supported; if you wanted to add more to the trails we would be happy to beef that up.

14. Future Sports Fields – this was a big contention for the 80 acres in particular and I understand that. I enjoy being at Daybreak and think it is a unique community and I think the citizens of the Wasatch front can proudly point to that we now have a functional community of this type and show people what we have been talking about for the past 20 years. I understand that it does not fit in with their pattern. Regardless of that, I think there is a need for some fields. He showed some photos on how to bring fields into an urban setting, which might be more appropriate for a place like the Daybreak Community. He noted that the U of U and Westminster College both have soccer fields on their garages. There are multiple ways to get more bang for your buck with these types of facilities.

Chairman Woolley asked if there were questions of the Commissioners, and how they would like to proceed. He asked Rulon Dutson, Daybreak Community, if he had any questions or comments.

Rulon Dutson, Daybreak Communities, 4700 W. Daybreak Parkway – he said he would like to commend Mark and Colby on time they have spent with us as an interest. The revisions of the plan reflect that in terms of the consideration and comments that were shared. I have made a number of notes that I will take back to our team so we can make sure that we follow up and meet what we feel is an opportunity within this document. There is one point that I would like the Planning Commissions consideration on. The recognition of Oquirrh Lake. The wording that was used tonight, and if that is the case that the city feels an obligation to have that transfer occur, was a little softer than what our expectation and anticipation is. Through our parks space and open space agreement that was put together in 2010, there is the commitment that the lake be transferred to the City of South Jordan; even to the extent that at that time it was identified that the transfer need not occur within a five year period. The reason that time frame was put in place was 5 years ago some of the development around the lake was very different than what it is now. Our Lake Village is now in place and those edges are better defined. The reason we feel that is such an important point is that it recognizes through the city's parks and open space plan, an opportunity and an obligation for a wonderful amenity that is being used as you recognized through the survey, by the residents of Daybreak and by the residents of South Jordan. I appreciate Mr. Vlasik's explanation of how they responded to some of the questions that came up.

Staff Attorney Steven Schaefermeyer said the discussion about the lake is tied up in agreements. What you expressed does not necessarily affect any legal obligations but I wanted to make you aware of it being tied up in the agreements for now.

Chairman Woolley said we will leave that with the legal department and with City Council.

Commissioner Holbrook said this revised draft is a lot better. Some of the questions I had as you were speaking was did I understand you to say the need was 42 sports fields.

Mr. Vlasik said in general terms if we think that the population is approximately half of what it will be at buildout, there is currently a need for 29 multi-purpose fields, plus 10 softball/baseball fields, plus 2 at Daybreak makes 41 fields currently today. To get somewhere that number we need to get it close to 41 or 42. According to our discussions, it is barely meeting needs. We know there are 9 fields currently designed for Welby and knowing the land out there, you can get about 4-5 sports fields in addition to other amenities on that land. There are going to be slightly fewer.

Commissioner Jolley asked if the level of service would decrease at buildout.

Mr. Vlasik said there is that and you will also have an aging of the community. Right now you have been a young community rapidly growing for so long and the need has been focused on youth and teen activities. We see a huge uptick of demand for maturing population and what they are looking for. We don't want to overinvest in sports fields and then find out that we have to modify them. This can be adjusted in the future. The full impact of growth has not been figured out as yet.

Commissioner Holbrook are you saying that 29 fields will be in the far west side of the City. Mr. Vlasik said 29 plus the existing 2 that are there. Commissioner Holbrook said if all of the fields are out west what happens to the east. Mr. Vlasik said there are presently 39 fields on the east side, 29 fields coming on the west side and the 2 in Daybreak. He said the east side is well covered right now. The west side is poorly covered.

Commissioner Holbrook asked if the Oquirrh Lake will be transferred to the City, does that need to be in this plan that if and when it does then the level of service would change. Mr. Vlasik said I thought about that today; I would have to take a closer look at it. I am not sure how accessible the lake itself will be even when it is turned over to the city. Typically, with lakes and reservoirs we count the shoreline in our estimates and call them a special use park because they have a specific use. That would mean that only the shoreline acreage would be used in the level of service calculation. We recommend that with any plan it be updated every 5-years.

Commissioner Holbrook asked the definition of an "active park." Mr. Vlasik said it is a place where you go to play.

Commissioner Holbrook asked who owns the Jordan River Parkway. Colby Hill said it is owned by multiple entities. He said throughout our city we own most of the trail and much of the property that is on the west side of the river. The County owns and maintains pieces of it throughout our city. Salt Lake County maintains 104th South to 9800 South (Shields Lane).

Commissioner Holbrook asked what is the definition of the term "Cultural District" that you use throughout the plan. Mr. Vlasik said it could be part of a historic district or conservation planning of areas to preserve the characteristics of it and a place to hold cultural events. These types of areas are what distinguishes communities and preserves the culture. An example would be the Old Draperville / Open Space and the Wheeler Farm. A place that celebrates the roots of the city.

Commissioner Holbrook asked what is the level of service translated into dollars? Colby Hill said I can't remember what our level of service was in the old plan; roughly between 4-5 acres per thousand. Our intent after this plan is adopted we have already started work and signed contracts with Lewis Young to start updating our Parks Impact Fees. This level of service is what we plan to use as our Park Impact Fee. We do not anticipate the Impact Fee will increase based on the level of service that is described in this plan.

Commissioner Holbrook asked if the impact fee is per home or development. Mr. Hill said I believe that it is per home; the developer pays it and it is usually passed on to the buyer.

Commissioner Holbrook said people want restrooms in parks but it brings in a criminal element. I like the idea of putting sports fields on top of buildings. In the minimum standards for all of the parks you say you have to have sports courts in every park; I ask why.

Mr. Vlasik said we put in some sort of amenity as a standard cost so that we can apply a number to in order to put together a budget. If that is too confusing, we can try to simplify it.

Commissioner Holbrook said we have a business, Goldfish Swim, coming in and I see that the city is starting to have a conflict with general businesses.

Mr. Vlasik said that is an area that we try to take a neutral point on with aquatics in the sense that it is really expensive and it is something that there has been a demand in recent years for. Salt Lake County is stepping back from providing pools now. They are building splash pads to fulfill that need. We think that it is something that each community needs to take a hard look to decide how they are going to meet the need; if at all. Most communities get enough pressure that they do.

Commissioner Quinn said we also need to remember that because the County is no longer providing these swimming facilities and there are anticipated closures like Marv Jensen on Redwood Road, we also need to meet the needs of students in the community as well. There is a swim team based out of Marv Jensen Fitness Center that will lose their pool and their ability to compete if that amenity is taken away.

Mr. Vlasik said that is a great potential partner. Many communities in the district cooperate and use the pools during the day for students, and put in double dressing rooms so that they do not have the kids changing in the same area as adults. They get a high level of service. School Districts are all different. Just be aware they are super expensive and if you want to get more cost recovery, you focus on leisure activities instead of only athletic training.

Commissioner Quinn said currently Mulligan's is classified as a special use park, but with the City's anticipated plan for renovations, they anticipate adding a public access park to the east end of Mulligan's; should we be calculating the impact of that.

Mr. Vlasik said we looked at that carefully and I believe the decision was made that we recognize that a certain percentage of the total acreage is dedicated to serve as a commercial piece and the rest would be for a public park. Our understanding is that it is more of a public open space. It might have a few active elements to it but overall, the bulk of the acreage is to have it relate to the river. We decided to take the acreage and add it to the open space acreage that we have and what was the commercial part is what we represent there as the total.

Commissioner Holbrook said didn't we just hear that it is owned by Salt Lake County so we can't count it anywhere.

Mr. Hill said we felt like because there is a desire to change the function of pieces of Mulligan's, it might be premature but we do not know for sure. We are in the process of hiring a company to design what that will be based on the Staples report. We do not know what that is entirely yet so we do not want to prematurely account for something that may not be. We could be 5 to 10 years down the road and maybe we could address it in the next update to this plan. I may have misspoken earlier; I believe we own the property that the trail is on but the County maintains the trail and portions of the bank of the river in that section.

Commissioner Ellis said continuing the thought on Mulligan's, I understand a special use park like the Equestrian Center if it were ours wouldn't be included in what is up for consideration. Mulligan is however one that I think we ought to put in an appendix at the very least. It is a lot of land and could provide many sports fields.

Mr. Hill said the Council at this point is calling for some change to the golf course. I do not think there will ever be sports fields at Mulligan's.

Commissioner Holbrook said I have kept up with this Mulligan's thing and I believed at the beginning that in this draft plan Mulligan's has been misclassified and I still hold on to that belief. It is a multiple use and multiple activity amenity/asset. They want to push a little over 10 million dollars in additional debt with the current 4 million that it has, so there is 14 million dollars of debt on a 20 million dollar property. This is the avenue taken by City Council for Mulligan's.

Commissioner Holbrook said with regard to the goals and policies portion, the only thing I have issue with is the goals and policies for recreation and community art facilities. I think I have asked enough questions to have that defined better.

Mr. Vlasik said we will take a closer look at that and see if we can get where the boundaries are for that and match it.

Commissioner Holbrook said there is also the need of swimming in the next five years and there may be a need but people need to understand the cost that it is 25 million and they never pay for themselves. The recreation facility right now doesn't pay for itself.

Chairman Woolley said we have held a public hearing on this before and we responded as has the Council and it has now come back before us to consider. There will be a public hearing by Council should we move it forward tonight.

Commissioner Ellis said I like the direction we are going with this.

Chairman Woolley said he appreciated Mr. Dutson's comments. He said we appreciate you taking our thoughts and concerns and coming back with your comments. He said it is sad that we don't have more public here to speak on this. He thanked Colby Hill and Mark Vlasik for all the work they have put into the plan.

B.2 Potential Action Item – (See V.B.1)

Commissioner Ellis motioned to recommend that the City Council enact Resolution R2017-02, adopting the 2016 South Jordan Parks, Recreation, Community Arts, Trails and Open Space Master Plan and amending the South Jordan City General Plan. Commissioner Morrissey seconded the Motion. Roll Call Vote was 4-1 in favor. Commissioner Holbrook voted No.

VI. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

****Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)**

C.1 Issue: PLAZA ON 114TH PRELIMINARY SUBDIVISION
Address: 11389 South Redwood Road
File No: PLPP201600839
Applicant: Josh Howa

Planner David Mann reviewed the background information on this item from the staff report. He said this application as well as the next application on the agenda involves the same property located on the northeast corner of Redwood Road and 11400 South. This first item is for a preliminary subdivision. The application is to create a two lot commercial subdivision. With this subdivision, there is also a road dedication for an extension to Beckstead Lane. Our Assistant City Engineer, Shane Greenwood, can assist with questions regarding that.

Chairman Woolley said last I recall when there was discussion about Beckstead Lane and its eventual connection to 11400 South, there was not going to be a light at that intersection. Is that still the case?

Assistant City Engineer, Shane Greenwood, said that is right. There will not be a traffic light there.

Commissioner Quinn asked if there would be a left turn access so the eastbound traffic would not be able to turn heading north onto Beckstead Lane; does the median extend that far.

Mr. Greenwood said it does not currently. The city would rather have it be a full access at this point. In working with UDOT, they are pushing to make it a right in – right out only.

Commissioner Quinn said I have concerns regarding the safety of that particular area. It is too close to Redwood Road.

Commissioner Ellis said this is one time that I agree with UDOT.

Mr. Greenwood said during peak times it would be nearly impossible to turn left out but we want to propose with UDOT to possibly do a three-quarter, and allow a left turn in; so that would be a right-in – right-out and left turn in.

Josh Howa, (Applicant) was present but did not have anything new to add at this time.

Chairman Woolley opened the Public Hearing to comments. No speakers. He closed the Public Hearing.

Planner Mann said I forgot to mention that there is one matter of clarification in the staff report that needs to be addressed, on both this staff report and the next item. It was staff's original understanding that there would be a need for a masonry wall to be installed along the property line adjacent to the agricultural property, but because there is the roadway that will be going in it won't be necessary to buffer because the buffer will be the roadway.

Commissioner Jolley asked if the Developer would be paying for the extension of Beckstead Lane along with this subdivision.

Mr. Greenwood said we will be working with the developer and the developer will have to pay for a portion of it and the city will have to pay a portion.

Planner Mann said I also wanted to add to the recommendation, I think the applicant is aware that there will be a provision added to the motion that there be a shared access agreement between the two lots. There will be access from Redwood Road and Beckstead Lane; you will see on the site plan for the next application, there is an internal driveway that runs along the border between the two lots.

C.2 Potential Action Item – (See VI.C.1)

Commissioner Ellis motioned to approve file no. PLPP201600839 for a two (2) lot commercial subdivision of real property, located at 11389 South Redwood Road as presented to the Planning Commission. Commissioner Holbrook seconded the motion. Roll Call Vote was unanimous 5-0 in favor.

**D.1 Issue: ROCKET EXPRESS CAR WASH
SITE PLAN AND CONDITIONAL USE PERMIT
Address: 11389 South Redwood Road**

File No: PLSPR201600837
Applicant: Josh Howa

Planner David Mann reviewed the background information on this item from the Staff Report. The applicant filed application for site plan approval to build a drive through car wash on property located at 11389 South Redwood Road. The subject property is currently under review to create a 2-lot commercial subdivision. The property will be accessed from Redwood Road and the Future extension of Beckstead Lane. UDOT was requiring a deceleration lane to be installed as part of this due to the proximity to the intersection. We are still working with the engineer and the applicant to look at where this will exactly be located as well as its relationship to the sidewalk and parkstrip that will be installed. There is a requirement for an 8' wide sidewalk and a 12' wide parkstrip so that is what is currently showing now. We are still looking to see how that deceleration lane might affect that. Based on our findings and conclusions, Staff recommends that the Planning Commission approve this application.

Josh Howa, Boise, ID (Applicant) – He said in 2009 we put up the Rocket Express in Twin Falls and that project received a lot of notoriety, both in the industry and locally, as a very nice facility. It became a new standard in the car wash industry. He said we have received a lot of great comments from the public on our design of these facilities. He said this building is very similar to the other two facilities and has become the brand for the carwash. This building here will be the longest conveyORIZED carwash in the world.

Chairman Woolley opened the Public Hearing to comments.

DeWayne Goff, Goff Construction – I am currently one of the owners of this property. This carwash is an absolute perfect fit for the location; it is really well landscaped.

Chairman Woolley closed the Public Hearing.

Commissioner Holbrook asked if the facility is touchless or not. Mr. Howa said no. It is a combination.

Commissioner Quinn said I would like to reiterate before the site plan is approved that the site plan shows a left turn off Beckstead. I want to state for the record that I am not comfortable with the location of the entry.

Mr. Greenwood said we will still be taking this issue up with UDOT.

Commissioner Jolley asked about the potential noise issue for neighboring properties.

Planner Mann said staff did look at that, and there is one residence that is on the other side of Beckstead Lane that may be affected. There are some vacuuming stations there, I did a measurement from the closest one to the residence on 11400 S., and it measures about 180 feet away. He said typically on this kind of use in other zones we would require a sound study to be done, but because this is not in our uses chapter of our code yet, it does not fall under that requirement.

Staff Attorney Steven Schaefermeyer said as another point of clarification, the road should not be shown on the site plan at all.

Commissioner Ellis asked if we could ask for a sound study on this.

City Planner Greg Schindler said this is a conditional use. If noise is identified as a detrimental effect, you could require a sound study as a condition of approval.

Commissioner Ellis said I like the use, I just want to be sure that sound does not adversely affect others.

Commissioner Holbrook said when you are next to 11400 South, you have noise no matter what.

Mr. Howa said we have tested the noise and this conversation often comes up with the vacuums. We do have central vac so you do not have 30 motors out there creating the noise. When we have done our tests near a busy road, the noise from the road does exceed the car wash vacuum noise.

Commissioner Ellis asked what the hours of operation are. Mr. Howa said the hours will be 7am – 9pm during the summer and 7am – 8 pm during winter; we are closed on Sundays.

Commissioner Jolley asked about the potential noise from the drier inside the car wash. Mr. Howa said there is a little bit of noise there but as the staff report noted it is buffered to an extent. We have the door that goes up and down between vehicles and that acts as a great noise absorption to the car wash.

D.2 Potential Action Item – (See VI.D.1)

Commissioner Jolley motioned to approve file no PLSR201600837 for the construction of a car wash located at 11389 South Redwood Road as presented to the Planning Commission provided that the applicant makes all remaining corrections to the submitted plans and drawings prior to the City Engineer's final approval. Commissioner Ellis seconded the motion. Roll Call Vote was unanimous 5-0 in favor.

**E.1 Issue: RIVER RUN ESTATES SUBDIVISION
PRELIMINARY SUBDIVISION
Address: 9970 South 1000 West
File No: PLPP201700117
Applicant: Connie Strang**

City Planner Greg Schindler reviewed the background information on this item from the Staff Report. The applicant received preliminary plat approval for a seven lot single-family subdivision on November 10, 2015, known as the Strang Subdivision. The preliminary approval has expired and City Code requires the applicant to return to the Planning Commission for a new preliminary subdivision plat approval that complies with all current subdivision requirements. The property is approximately 3.32 acres in size, and is generally located at 9970 South 1000 West. Staff is recommending approval subject to the four requirements listed in the staff report.

Connie Strang, (Applicant) – no comments to add at this time

Chairman Woolley opened the Public Hearing to comments. No speakers. He closed the Public Hearing

E.2 Potential Action Item – (See VI.E.1)

Commissioner Holbrook motioned to approve the River Run Estates Preliminary Subdivision, subject to the following requirement(s):

- 1. Prior to plat recordation, all park strip swales shall be graded per the approved plans in order for the storm water system to function.**

2. Prior to plat recordation, the Applicant shall post a bond equal to the amount needed to install the landscape improvements for the park strips and storm water swale area, per the approved landscape plans.
3. Because of the unique design of the subdivision, which was approved by way of a development agreement, the front yard setback shall be 37' as measured from home to the back of curb, (the typical 30-foot front setback, plus the 7-foot wide park strip/storm water swale).
4. Any necessary utility and access easements shall be secured prior to or part of the final plat recordation as determined by the City Engineering Department.

Commissioner Morrissey seconded the motion. Roll Call Vote was unanimous 5-0 in favor.

VII. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

***Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)**

F.1 Issue: TEXT AMENDMENT – AMENDING SUBSECTION 16.36.070 (MISCELLANEOUS SIGNS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE ELIMINATING PERMIT AND APPROVAL STICKER REQUIREMENTS FOR OFF-SITE REAL ESTATE OPEN HOUSE DIRECTIONAL SIGNS
File No: PLZTA201700147
Applicant: City of South Jordan

Staff Attorney Steven Schaefermeyer reviewed the background information on this item from the Staff Report. The South Jordan City Municipal Code currently requires those wishing to post off-site real estate open house directional signs in the City to get a permit and approval sticker from the City. After discussing possibly eliminating this requirement with stakeholders, a majority of the City Council directed staff to bring forward a text amendment that eliminates the permit and approval sticker requirement. The proposed text amendment does not change any other requirements for Real Estate Signs including that the City Code prohibits them on public property, including City-owned park strips. This Ordinance has been noticed and scheduled for the February 21, 2017 City Council meeting.

Commissioner Holbrook asked why only Real Estate open house signs.

Staff Attorney Schaefermeyer said the entire sign ordinance needs to be rewritten. This issue came up with the Supreme Court case Reid vs. the Towne of Gilbert with regards to creating too many exceptions. We have made some changes to make our sign code better and we will address other issues through enforcement as they come up. This is a commercial sign, which we can treat a bit differently. We can single out commercial signs to some extent in a way that we cannot single out a political sign.

Chairman Woolley asked if we could put this issue on our agenda to discuss with City Council to rewrite our sign ordinance. Staff Attorney Schaefermeyer said we did get rid of the appeal to City Council. We may still have some appeal issues because the sign code may not be adequate for some.

City Planner Schindler said we also wanted to look at this code amendment as taking away the requirement of them getting stickers. It was a hassle for the agents and for staff.

Chairman Woolley opened the Public Hearing to comments. No speakers. He closed the Public Hearing.

Commissioner Quinn said I would like to point out how overly burdensome and regulatory this particular amendment was in the first place. These are the types of things we need to focus on as a body to eliminate these types of overly burdensome regulations.

F.2 Potential Action Item – (See VII.F.1)

Commissioner Holbrook motioned to recommend to the City Council that it approve Ordinance 2017-07. Commissioner Ellis seconded the motion. Roll Call Vote was unanimous 5-0 in favor.

VIII. OTHER BUSINESS

Open Meetings Law Training

Chairman Woolley said I spoke with Steve at the beginning of the meeting, we are probably talking about 15 minutes for this training, and we have a very heavy schedule in two weeks. Is there any objection to going ahead with this training?

It was decided by all to continue with the training.

Staff Attorney Schaefermeyer reviewed an Open Meetings Law Training presentation (Attachment C).

- Policies & Laws governing your operation
 - Open & Public Meetings Act
 - Government Records Access & Management Act (GRAMA)
 - Municipal Land Use, Development, and Management Act (LUDMA)
 - South Jordan Municipal Code 17.16.010
 - Policy & Procedural Guide for City Council – Created Boards, Committees, and Councils
- Utah Code 10-9a-302 Planning Commission powers and duties
 - Make a recommendation to the city council for:
 - General Plan and amendments; and
 - Land Use ordinances, zoning maps, official maps, and amendments
 - Can be designated as a “land use authority” for other matters
 - Note: public hearing only required for general plan, land use ordinance and zoning action
- Open & Public Meetings Act – Utah Code Section 52-4-101
 - The purpose of the Act is simple: Public Bodies must conduct the public’s business openly
- Who is subject to the Act?
 - Public Bodies
 - Any administrative, advisory, executive, or legislative body that is created by the Utah Constitution, statute, rule, ordinance, or resolution;
 - Consists of two or more people;
 - Expends, disburses, or is supported by tax revenue;
 - Is vested with the authority to make decisions regarding the public’s business
- What is a public meeting?
 - The convening of a public body when a quorum is present for the purpose of discussing, receiving public comment, or acting upon a matter over which the body has jurisdiction or advisory power.
 - Meetings can be in person or by means of electronic communication.
 - In other words, conducting business via email, text, phone, or other electronic means risks violating the Act. (This may include social media comments).
- What is NOT a public meeting?

- A chance or social gathering
 - Convening when no public funds are appropriated and no formal action is taken (administrative / operational matters)
 - Always err on the safe side
- What does the Act require?
 - Notice to the public of each meeting
 - At least 24 hours in advance of the meeting
 - Agenda
 - Date, time, and place
 - Annual notice of regularly scheduled meetings.
 - Date, Time, and place of meetings for the year
 - Written minutes and recordings of all open meetings
 - Note: additional public hearing and meeting requirements required under LUDMA and City Code
- Emergency meetings
 - Notice requirements may be disregarded only if the public body must hold a meeting to consider something urgent.
 - Public body must still give the best notice practicable of the time and place of the meeting and topics to be considered. Final action may not be taken otherwise.
 - Emergency meetings may not be held unless attempt has been made to notify all members and a majority approves the meeting.
 - Very uncommon – typically only City Council would have a need.
- Minutes
 - Minutes must include:
 - Date, time, and place of the meeting
 - Names of members present & absent
 - Substance of all matters discussed
 - Record of each vote taken
 - Name of each person who testified/commented
 - Substance of testimony/comments
 - Anything else that a member requests be entered into the minutes
 - Minutes are yours – your group should be happy with them
 - Minutes are permanently retained under GRAMA
- Recordings
 - Recordings must:
 - Be complete and unedited
 - Be properly labeled with date, time, and place of the meeting
 - Retained for 3 years under GRAMA
- Minutes & Recordings
 - Pending minutes, minutes, and recordings are public records under the Government Records Access and Management Act (GRAMA)
 - Pending minutes must be available to the public within 30 days of the meeting
 - Approved minutes must be available within 3 days of approval
 - Audio recordings must be available within 3 days.
- When can a meeting be closed?
 - If a quorum is present, the meeting has been properly noticed, and 2/3 of the members present vote to close it.
 - The reason for the closure, how each member voted on the motion to close, and the location of the meeting must be recorded.

- Closed meetings must be recorded; minutes may be taken – these are protected under GRAMA.
- Why can a meeting be closed?
 - Discussion of character, competence, physical or mental health of an individual
 - Collective bargaining
 - Pending or imminent litigation
 - Purchase of property
 - Security systems
 - Criminal conduct investigations
 - Certain procurement discussions
- Electronic Meetings
 - South Jordan City has adopted an ordinance regarding electronic meetings – City Code 2.04.080 – but this applies only to City Council.
 - Requires an anchor location with at least one member at that location, proper notice, and a vote to hold
- GRAMA and your operations
 - Pending minutes, approved minutes, and recordings are public records under GRAMA.
 - Electronic communications between members are subject to GRAMA – including those sent during meetings but not necessarily about public business.
- Policy & Procedural Guide (PPG)
 - The City maintains the PPG to guide advisory boards & committees, as stated in City Code Chapter 2.76.
 - What is the PPG?
 - Staff responsibilities for boards and committees
 - Vacancies, appointments, and member responsibilities
 - Governance (Chair – Vice Chair)
 - Financial matters & reporting

ADJOURNMENT

**Commissioner Holbrook motioned to adjourn. Commissioner Woolley seconded the motion.
Motion was unanimous.**

The February 14, 2017 Planning Commission meeting adjourned at 8:45 p.m.

Meeting minutes prepared by City Recorder Anna West.

**This is a true and correct copy of the February 14, 2017 Planning Commission minutes,
which were approved on February 28, 2017.**

Anna M. West
South Jordan City Recorder